

AMENDED IN SENATE APRIL 11, 2007

SENATE BILL

No. 202

Introduced by Senator Florez

February 7, 2007

An act to add Article 5 (commencing with Section 113500) to Chapter 11 of Part 6 of Division 104 of the Health and Safety Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 202, as amended, Florez. Agriculture: leafy green vegetable crop traceback.

Existing law provides that the Secretary of Food and Agriculture shall establish, by regulation, uniform standards for field crop producers, establish inspection districts within the state, and provide sampling, inspection, and certification service for field crop products within the state, as specified. Existing law also states legislative findings and declarations that the people have a primary interest in the sanitary conditions under which food crops are grown and harvested for human consumption and in the health and related sanitary conditions under which the workers are employed in the growing and harvesting of food crops.

This bill would require growers, handlers, and processors of leafy green vegetables to employ a coded lot numbering system, using Julian dating *or other scientifically validated systems*, that allows for each piece of product they produce, handle, or process to be traced in the production, distribution, and marketing chain to or from the field in which it was grown and the facility in which it was processed, as specified. This bill would also require growers, handlers, and processors of leafy green vegetables to establish written procedures employing

their coded lot numbering system *or other scientifically validated systems* to respond to a department recall affecting leafy green vegetables and to initiate a recall of leafy green vegetables grown, handled, or processed in their field or facility. This bill would require growers, handlers, and processors of leafy green vegetables to identify recall coordination teams within their operations that shall ensure that product can be identified and removed from the production, distribution, and marketing chain rapidly and to conduct a *periodic* mock recall ~~each year~~ *no less than every 2 years*. This bill would also authorize the State Department of Public Health to adopt regulations to carry out these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 113500) is
2 added to Chapter 11 of Part 6 of Division 104 of the Health and
3 Safety Code, to read:

4
5 Article 5. Leafy Green Vegetable Crop Traceback
6

7 113500. (a) Growers, handlers, and processors of leafy green
8 vegetables shall employ a coded lot numbering system, using Julian
9 dating *or other scientifically validated systems*, that allows for
10 each piece of product they produce, handle, or process to be traced
11 backwards and forwards in the production, distribution, and
12 marketing chain that ends with the consumer, to or from the field
13 in which it was grown and the facility in which it was processed.

14 (b) Growers, handlers, and processors of leafy green vegetables
15 shall maintain documentation of the Julian code dated lot
16 numbering system *or other scientifically validated systems*
17 employed pursuant to subdivision (a), as required by regulations
18 adopted by the State Department of Public Health, in a manner
19 that allows for inspection by county health inspectors and
20 agricultural commissioners for a specified period of time, not less
21 than three years, as determined by the department.

22 (c) Growers, handlers, and processors of leafy green vegetables
23 shall establish written procedures employing their Julian code
24 dated lot numbering system *or other scientifically validated systems*

1 to respond to a department recall affecting leafy green vegetables
2 and to initiate a recall of leafy green vegetables grown, handled,
3 or processed in their field or facility.

4 (d) Growers, handlers, and processors shall be prepared to
5 communicate information concerning the Julian code dated lot
6 numbering system *or other scientifically validated systems*
7 employed by their field or facility to other growers, handlers, and
8 processors with whom they regularly conduct business.

9 113502. Every grower, handler, and processor of leafy green
10 vegetables shall identify within its operation a recall coordination
11 team that shall ensure that product can be identified and removed
12 from the production, distribution, and marketing chain ending with
13 the consumer, rapidly. The tasks performed by the teams shall
14 include, but are not limited to, all of the following:

15 (a) Testing the overall effectiveness of the grower's, handler's,
16 or processor's procedures for responding to a department recall
17 affecting leafy green vegetables and for initiating a recall of leafy
18 green vegetables grown, handled, or processed in their field or
19 facility.

20 (b) Evaluating the reliability and accuracy of the grower's,
21 handler's, or producer's Julian code dated lot numbering system
22 *or other scientifically validated systems* and the documentation
23 thereof.

24 (c) Evaluating the time it takes the grower, handler, or processor
25 to a State Department of Public Health recall affecting leafy green
26 vegetables.

27 (d) Evaluating the flow of information to and from other
28 growers, handlers, and processors with whom business is regularly
29 conducted concerning the Julian code dated lot numbering system
30 *or other scientifically validated systems* employed by those
31 growers, handlers, shippers, and processors.

32 (e) Identifying opportunities for improving the grower's,
33 handler's, or producer's Julian code dated lot numbering system
34 *or other scientifically validated systems*.

35 113504. Every grower, handler, and processor of leafy green
36 vegetables shall conduct a ~~mock recall each year~~ *periodic mock*
37 *recall, no less than every two years*, at the beginning of the leafy
38 green vegetable growing season to determine the efficacy of their
39 procedures for responding to a department recall affecting leafy

- 1 green vegetables and for initiating a recall of leafy green vegetables
- 2 grown, handled, or processed in their fields or facilities.
- 3 113509. The State Department of Public Health shall adopt
- 4 regulations to carry out the provisions of this article.